

REMARKS

Applicant request favorable reconsideration of the subject application in view of the preceding amendments and the following remarks.

The claims now pending in the application are claims 1 to 48. Claims 1 to 24 have previously have been withdrawn from consideration pursuant to a restriction requirement. Accordingly, claims 25 to 48 are presented for consideration, the independent claims being claims 25 and 36. Claims 25 and 36 have been amended herein.

Initially, Applicant's undersigned representative would like to thank Examiner's Misleh and Garber for the cordial and productive interview held on June 16, 2005. At the interview, the art rejections and claim amendments for overcoming those rejections were discussed. The amendments being made herein are in view of the discussion at the interview.

Claims 25-27, 30, 33-38, 41, and 44-46 stand rejected under 35 U.S.C. § 103 (Section 103) as unpatentable over U.S. Patent No. 6,515,697 (Yamada et al.) in view of U.S. Patent No. 6,111,662 (Satoh et al.). Additionally, claims 28 and 39 stand rejected under Section 103 as unpatentable over Yamada et al. in view of Satoh et al., and further in view of U.S. Patent No. 6,188,431 (Oie), claims 29, 31, 32, 40, 42, and 43 stand rejected under Section 103 as unpatentable over Yamada et al. in view of Satoh et al., and further in view of U.S. Patent No. 6,282,362 (Murphy et al.), and claims 47 and 48 stand rejected under Section 103 as unpatentable over Yamada et al. in view of Satoh et al., and further in view of U.S. Patent No. 6,300,976 (Fukuoka). Applicant traverses these rejections.

In an aspect of Applicant's invention, independent claim 25 recites an image transmission apparatus. Among other features of the claimed apparatus, data amount information indicating an amount of target image data and information of a priority order of the target image data are transferred to an external apparatus. At the external apparatus, a response signal indicating whether the external apparatus will accept transmission of the

target image data is generated by a user input based on the data amount information and the information of the priority order. Reception means receives from the external apparatus the response signal.

In another aspect of Applicant's invention, independent claim 36 recites an image reception apparatus, featuring, among other things, reception means that receives from an external apparatus a transfer including data amount information indicating the amount of target image data and information of a priority order of the target image data; and transmission means for transmitting to the external apparatus a signal indicating whether the target image data is accepted, the signal being generated by a user input based on the data amount information, the information of priority order, and the free storage capacity.

Thus, in each of independent claims 25 and 36, a signal indicating whether transmission of target image data will be accepted is generated by a user input based on, *inter alia*, information of priority order.

In this manner, as an exemplary application of the claimed invention, information of priority order is included in a file, and is transmitted to a reception device. At the reception device, the user uses the information of the priority order to select whether to accept transmission of target image data, thus taking into consideration the intention of the operator of the transmission-side device.

Applicant submits that the cited patents, whether taken alone or in combination, fail to teach or suggest at least these features of the claimed invention.

Yamada et al. relates to a digital camera with detachable auxiliary memory, and discloses a digital camera operable in a copying mode in which image data stored in a main memory MM upon photographing are transferred and copied to a detachable auxiliary memory MC by way of a bus B. During copying, the number of uncopied image data in the main memory MM and the number of image data which can be copied to the auxiliary

memory MC are sequentially displayed in a liquid crystal display section, while each image data is copied with management data indicative of the date and time of copying or the like added thereto. However, as acknowledged by the Examiner, Yamada et al. fails to disclose or suggest at least the feature wherein transfer means transfers information of priority order of image data, and reception means receives the information of priority order of the image data.

Satoh et al. fails to remedy the deficiencies of Yamada et al. Satoh et al. relates to an electronic imaging apparatus in which a decompression file and control file .J6C are retrieved and read out to process a transmission program, so as to transmit image files .J6I and sound files .J6S. However, nowhere is Satoh et al. understood to teach or suggest generation of a response signal at an external apparatus indicating whether the external apparatus will accept transmission of the target image data by a user input based on the data amount information and the information of the priority order, as recited in claim 25. Satoh et al. also is not understood to teach or suggest transmission to an external apparatus of a signal indicating whether target image data is accepted, wherein the signal is generated by a user input based on the data amount information, the information of priority order, and the free storage capacity, as recited in independent claim 36.

Oie, Murphy et al., and Fukuoka are understood to be cited merely for teaching features of dependent claims. Applicant submits that those patents do nothing to remedy the deficiencies of Yamada et al. and Satoh et al., discussed above.

For the foregoing reasons, Applicant submits that independent claims 25 and 36 recite features that patentably define Applicant's invention over all of the cited patents, whether the patents are taken alone or in combination. Favorable reconsideration and withdrawal of the Section 103 rejection to these claims are requested.

Each of the remaining claims depend from one of the independent claims. These dependent claims are submitted to be allowable by virtue of their dependency from

allowable base claims, and for reciting other patentable features of Applicant's invention.


Favorable and independent consideration of the dependent claims are requested.

Applicant submits that this application is in condition for allowance.

Favorable reconsideration and an early Notice of Allowance are requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,


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